

FILED

MAR 30 2010

**SECRETARY, BOARD OF
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

IN THE MATTER OF THE REQUEST FOR
AGENCY ACTION OF MARION ENERGY, INC.
FOR AN ORDER GRANTING AN AQUIFER
EXEMPTION AND APPROVING THE
CONVERSION OF THE ALPINE SCHOOL
DISTRICT #3-17 WELL LOCATED IN SECTION
17, TOWNSHIP 13 SOUTH, RANGE 7 EAST,
CARBON COUNTY, UTAH, TO A CLASS II
INJECTION WELL

**MOTION FOR LEAVE TO FILE
PETITIONER'S EXHIBITS
OUT OF TIME**

Docket No. 2010-020

Cause No. UIC-362.2

COMES NOW, Marion Energy, Inc. ("Marion"), acting by and through its attorneys, Beatty & Wozniak, P.C., and respectfully moves the Board of Oil, Gas and Mining ("Board"), pursuant to its authority under R641-100-400, for leave to file its exhibits no later than Monday, April 5, 2010.


As a result of Marion's ongoing discussions with Staff of the Division of Oil, Gas and Mining ("Division"), Marion requests additional time to revise certain of the Exhibits it intends to file in order to address the Division's concerns.

Marion is unaware of any protests or objections to this Request for Agency Action. The Exhibits do not alter Marion's analysis or conclusions; they will clarify and enhance the record. Therefore, good cause exists for the Board to permit a deviation from strict adherence to Utah Admin. Code Rule R641-105-500 as allowed under Utah Admin. Code Rule R641-100-400.

WHEREFORE, Marion respectfully requests that the Board grant Marion leave to file Exhibits out of the time allowed by Utah Admin. Code Rule R649-105-500.

Respectfully submitted this 30th day of March, 2010.

BEATTY & WOZNIAK, P.C.

By: 
Relma M. Miller (U.S.B. #8690)
Matthew L. Crockett (U.S.B. #9521)
6925 Union Park Center, Suite 525
Cottonwood Heights, UT 84047-6003
Telephone: (801) 566-8446
E-Mail: RMiller@bwenergylaw.com
E-Mail: MCrockett@bwenergylaw.com
Attorneys for Marion Energy, Inc.